

Republic of the Philippines }  
 CITY OF D I P O L O G } S.S.  
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CIVIL NO. 03-11111  
 (MDL 840) MARCOS  
 HUMAN RIGHTS LITIGATION

**RECEIVED**  
 CLERK, U.S. DISTRICT COURT

JUN 20 2006

DISTRICT OF HAWAII

# AFFIDAVIT

I, ARTURO P. CAGBABANUA, of legal age, married, Filipino and a resident of Maligaya, Polanco, Zamboanga Del Norte, after having been duly sworn to an oath in accordance with law do hereby depose and say:

That I have been living in Maligaya, Polanco, Zamboanga Del Norte for a long time now;

Q - Why are you executing this affidavit?

A - Because I am filing a damage claim against the Marcos' estate because the late dictator was responsible in violating my human rights;

Q - Can you narrate to us what really happened?

A - At about 12:00 high noon, of October 5, 1985, I was one of the residents who were assembled in the public market by the members of the composite Infantry Battalion or CIB;

Q - Why were you assembled there?

A - The military men were asking us the whereabouts of the NPA rebels situated in our barrio but we denied because we do not know them;

Q - What happened then?

A - When the leader of the group came to know my family name to be Magbabanua, he mauled me the same as what he did to my brother, Harrison Cagbabanua who was also mauled;

Q - Why were you mauled by them?

A - Because according to him we are the relatives of Celso Cagbabanua who is an NPA and whom they were looking for;

Q - What did you tell the leader?

A - I did not tell him anything because I did not know what he was asking all about, the reason why he hit me against resulting my injuries in the different parts of my body;

Q - Then what happened after that?

A - After the assembly, I was one of those who was brought in their camp and there I was tortured by them while I was undergoing a tactical interrogation;

Q - Did you ultimately confess?

A - No sir, because I have nothing to confess and because of that he hit me again until I became weak;

Q - Were you released by them?

A - No sir, they detained me for about two (2) months;

Q - What did they do during your detention?

A - There were nights that I would be awakened and investigated and the most dangerous one was that during

Arturo Cagbabanua



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operation they brought me with them;

Q - What happened to you then?

A - I became sick and perhaps fearing that I would die, in their camp, they released me;

Q - What did you feel being tortured by the military men?

A - I felt so worried and encountered so many sleepless nights. Hence, I suffered moral damages and result of the human rights violation;

Q - By way of moral damages, exemplary damages, how much do you want?

A - It's up for the authority to grant me;

Q - Do you have anything more to say?

A - No more sir, unless further asked;

IN WITNESS WHEREOF, I have hereunto affixed my signature this 13th day of July, 1993 at Dipolog City, Philippines.

*Arturo Caglabanua*  
ARTURO P. CAGLABANUA

Res. Cert. No. 7190753-6/01/93

SUBSCRIBED AND SWORN TO before me this 13th day of July, 1993 at Dipolog City, Philippines.

*Vive Cio M. Carpio, Jr.*  
VIVE CIO M. CARPIO, JR.  
Notary Public

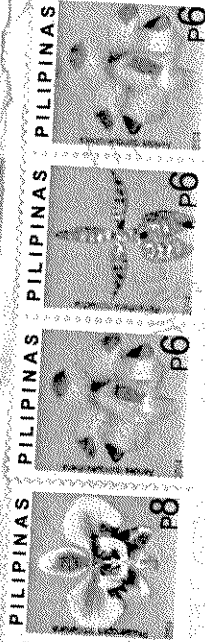
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ARTURO P. CAGABANDA  
STO. TOMAS, MITIA, ZAMBANGA  
DEL NORTE

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